

viding that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of August 12, 1935, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the commissioners court of said county, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,
Austin, Texas, November 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. C. R. No. 16, Inviting the Governors and citizens of New Mexico, Arizona, California, Nevada, Utah, Wyoming, Colorado, Kansas and Oklahoma to participate in the Texas 1936 Centennial celebration and erect buildings at Centennial centers and place exhibits therein.

Has carefully compared same and finds it correctly engrossed.

HODGES, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, November 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 71, "An Act authorizing school trustees in all counties of the State having a population of not less than two hundred and ninety thousand (290,000) nor more than three hundred and twenty thousand (320,000) inhabitants according to the last preceding Federal Census to issue interest bearing warrants in payment of salaries of employees; specifying that the rate of interest shall not ex-

ceed four per cent (4%) per annum; limiting the amount of warrants to be issued; providing for official notice of the issuance of such warrants and for official notice when these warrants can be cashed; providing for method of computing amount of warrants, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

NINTH DAY

(Continued)

(Thursday, November 7, 1935)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

(Mr. Morse in the Chair.)

SPECIAL ORDER SET

Mr. Stovall moved that House Bill No. 92, be set as a special order for 2:00 o'clock p. m., Friday, November 8.

Question recurring on the motion by Mr. Stovall, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—86

Adamson	Fox
Adkins	Fuchs
Aikin	Glass
Alsup	Graves
Atchison	Gray
Bradbury	Hardin
Bradford	Harris of Archer
Broyles	Head
Burton	Herzik
Butler of Karnes	Hodges
Cagle	Hofheinz
Calvert	Holland
Canon	Hoskins
Celaya	Huddleston
Cooper	Hunt
Cowley	James
Craddock	Jones of Falls
Crossley	Jones of Shelby
Davison of Fisher	Jones of Wise
Davisson	King
of Eastland	Lanning
Dunlap of Hays	Leath
England	Lindsey
Fain	Lucas
Farmer	Luker
Fisher	McConnell

McFarland	Russell
McKee	Rutta
McKinney	Sessions
Moffett	Settle
Morris	Spears
Morrison	Stovall
Newton	Tarwater
Olsen	Tennyson
Palmer	Tillery
Patterson	Venable
Payne	Waggoner
Petsch	Wells
Reader	Westfall
Reed of Dallas	Wood of Harrison
Roach of Angelina	Wood of Montague
Roark	Worley
Roberts	Youngblood
Rogers	

Nays—26

Alexander	Jones of Atascosa
Bergman	Knetsch
Clayton	Lange
Collins	Latham
Dunagan	McCalla
Duvall	Moore
Dwyer	Quinn
Ford	Reed of Bowie
Hankamer	Roane
Hanna	Shofner
Harris of Dallas	Steward
Jackson	Stinson
Jefferson	Thornton

Absent

Ash	Hyder
Beck	Keefe
Butler of Brazos	Lemens
Caldwell	Leonard
Colquitt	Lotief
Colson	Mauritz
Daniel	Nicholson
Dickison	Padgett
Dunlap of Kleberg	Pope
Frazer	Riddle
Gibson	Roach of Hunt
Good	Scarborough
Greathouse	Smith
Hartzog	Stanfield
Hill	Walker
Howard	Young
Hunter	

Absent—Excused

Bourne	Fitzwater
Davis	

SENATE BILL NO. 15 ON PAS-
SAGE TO THIRD READING

The Chair laid before the House, as pending business, on its passage to third reading,

S. B. No. 15, A bill to be entitled "An Act defining certain terms; pro-

viding for licensing of operators and chauffeurs; providing for certain exemptions; prohibiting issuance of licenses to certain persons; providing for instruction permits; making provision for non-resident drivers; providing what persons shall be licensed; providing for application for operator's and chauffeur's license; providing for signing of application of minors; providing for examination of applicants; and declaring an emergency."

The bill having been read second time on yesterday.

Mr. Pope offered the following amendment to the bill:

Amend Senate Bill No. 15, by striking out all after the enacting clause and insert in lieu the following:

"Section 1. Every person in this State desiring to operate an automobile under the provisions of this law shall upon application and identification be issued an operator's license to drive by the county clerk of the county in which the motor vehicle is registered. But every person in this State over the age of fourteen (14) years and who is subject to none of the disqualifications hereinafter mentioned, shall have the right to drive and/or operate a motor vehicle, as that term is now defined by law, upon the public highways and roads of this State. No person shall have the right to drive and/or operate a motor vehicle upon the public highways and roads of this State:

"(1) Who is totally blind;

"(2) Who is 'color blind';

"(3) Who has lost the use of both arms;

"(4) Who has lost the use of both legs;

"(5) While in a state of intoxication;

"(6) Whose right to drive or operate a motor vehicle has been suspended as hereinafter provided, and while such suspension is in force and effect.

"Section 2. In addition to the penalties in such cases now provided by law, the county courts and district courts of this State shall have the right and power to suspend the right of any person, to drive or operate a motor vehicle on the public roads and highways of this State, convicted in

such courts of any one or more of the following offenses:

"(1) Negligent homicide resulting from the operation of a motor vehicle;

"(2) Driving and/or operating a motor vehicle while intoxicated;

"(3) Any offense punishable as a felony under the motor vehicle laws of this State;

"(4) Any offense punishable as a felony under the laws of this State in the commission of which a motor vehicle is used or employed;

"(5) Failure of a driver of a motor vehicle involved in an accident or collision to stop or render aid to parties injured in such collision and to disclose his identity at the time and place of said accident or collision;

"(6) Aggravated assault when committed with any motor vehicle;

"(7) Violating any of the provisions of Article 801 of the Penal Code of Texas, or Section 10 of Chapter 42 of the General Laws of the Second Called Session of the Forty-first Legislature, or Chapter 328 of the General Laws of the Regular Session of the Forty-fourth Legislature.

"Section 3. Every county court or district court in this State having jurisdiction over any of the offenses above enumerated shall, upon conviction of any person in said court for a violation of any of said laws above enumerated, and in addition to any penalty which may now be imposed under the laws of this State against such person, suspend the right of such person to drive and/or operate a motor vehicle upon the public highways and roads of this State for a period of time of not less than thirty (30) days, nor more than five (5) years; such period of suspension shall be incorporated in the judgment of conviction and the court imposing such judgment of suspension shall have the right and power to enforce the same by injunctive proceedings during the life of such judgment and until such judgment of suspension is satisfied. Upon proof to said Court that said judgment has been violated, the Court may punish the person violating the same as for contempt, by imprisonment in the county jail not to exceed a term of sixty (60) days, or by a fine of not to exceed One Hundred (\$100.00) Dollars, or both such fine and imprisonment.

"It is expressly provided that each time any person whose right to operate an automobile on the public highways and roads of this State has been suspended, drives or operates such vehicle in violation of such judgment, shall constitute a separate and distinct contempt of said Court and an offense, and shall be punished as such.

"Section 4. Any person violating any provision of this Act shall, in addition to the other penalties herein imposed, be guilty of a misdemeanor and, upon conviction therefor shall be fined not to exceed Two Hundred (\$200.00) Dollars, or imprisoned in the county jail not to exceed six (6) months, or by both such fine and imprisonment.

"Section 5. Whenever any person is convicted in any county court or district court of this State and his right to drive or operate a motor vehicle upon the public highways or roads of this State has been suspended, the clerk of said court shall, within five (5) days after such judgment becomes final, prepare a certified copy thereof and send the same with car license number by registered mail to the Department of Public Safety at Austin, Texas, and upon the receipt of said copy the Department of Public Safety shall digest the same, card index it so that the information it contains may be readily obtained by the officers of this State. Such information shall be available to the officers of this State so long as such judgment suspending such right is in effect. The clerks of the county and district courts in this State shall keep an alphabetical indexed record of all persons whose right to operate a motor vehicle on the public highways and roads of this State has been suspended, which shall show when said right was suspended, when such suspension will expire and the book and page of the court record where such judgment may be found. Such index record shall be available to and open to the inspection of the general public during the office hours of such clerk.

"Section 6. The fact that the penalties and punishments prescribed by the present law regulating and controlling the driving and operating of motor vehicles on the public highways and roads of this State are inadequate and cause a hazard to the lives and

properties of the people of this State, creates an emergency and an imperative public necessity requiring that the rule, which requires that bills be read on three several days in each House, be suspended, and that this law take effect from and after its passage, and such constitutional rule is hereby suspended, and it is so enacted."

POPE,
ROARK.

Mr. Harris of Dallas raised a point of order on further consideration of the amendment by Mr. Pope, on the ground that the amendment is not germane to the original bill.

The Chair overruled the point of order.

(Pending consideration of the amendment by Mr. Pope, Mr. Beck and Mr. England, occupied the Chair, temporarily.)

(Mr. Morse in the Chair.)

Question—Shall the amendment by Mr. Pope be adopted?

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 67, "An Act authorizing the condemnation of certain private land or lands for the restoration, preservation or marking of historic spots in Texas by the Commission of Control for the Texas Centennial Celebrations; prescribing the procedure therefor; providing that such proceedings shall be brought in the name of the State of Texas by the Attorney General of Texas, and declaring an emergency."

H. B. No. 69, "An Act validating and approving all acts and proceedings of county commissioners courts and the county judge in the matter of the creation and incorporation of Wind Erosion Conservation Districts in their said counties, which were authorized to be created under the provisions of Chapter 337, Acts Regular Session, Forty-fourth Legislature, and validating and approving all elections held under the provisions of said law where the returns of said elections show that a majority of the legally qualified property tax-paying voters of said counties voting at said elec-

tions favored the creation of such districts; and declaring an emergency."

H. B. No. 93, "An Act creating a special road law for Childress County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of September 14, 1935, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the commissioners court of said county and officers thereof, in respect to the funding or refunding of said indebtedness; etc., and declaring an emergency."

H. B. No. 98, "An Act creating a special road law for Robertson County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of August 12, 1935, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; etc., and declaring an emergency."

S. B. No. 21, "An Act amending Article 2031, Revised Civil Statutes of 1925, and providing means and method of securing service of process on foreign corporations; and declaring an emergency."

S. C. R. No. 9, Providing that the members of the Legislature shall attend services in honor of James Austin Sylvester.

MESSAGE FROM THE SENATE

Austin, Texas, November 7, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 72.

The following have been appointed on the part of the Senate:

Senators Collie, Burns, Woodruff, Davis and Sanderford.

Respectfully,
BOB BARKER,
Secretary of the Senate.

MESSAGE FROM THE
GOVERNOR

The Chair laid before the House and had read the following message from the Governor:

Executive Office,
Austin, Texas, November 7, 1935.
To the Members of the Forty-fourth Legislature.
(In Second Called Session):

I hereby submit to you for consideration the following specific matters, which I trust may be disposed of in night sessions:

1

A bill by Good and others to create the Sulphur River Conservation and Reclamation District, with no remission of taxes and no appropriation.

2

A local bill by Gibson and Latham validating election proceedings, with particular reference to Gladewater, Gregg County.

3

A local validation act to provide for fresh water supply districts, by Stinson.

4

A local bill by Spears to change the terms of district court in Bexar County.

5

A bill by Lindsey to validate ad valorem tax levies in incorporated cities and towns.

6

A public works eminent domain law. This was submitted during the closing days of the First Called Session.

7

A bill by Spears to increase the powers of the City of San Antonio so that it can qualify for the Public Works Administration loan issuing bonds payable out of the revenues from the improvements secured.

8

A bill by Clayton, Hankamer and Jackson to authorize the City of El Paso to qualify for Public Works Administration loan.

9

A bill by Latham and Gibson providing for optional additional methods of selecting jury panels in counties having two or more district courts and not having a jury wheel system.

10

A bill by Small and Worley authorizing administrators of estates under certain conditions to pledge, with the approval of the court, the assets of such estates as security for necessary loans.

11

A bill by Mauritz to correct and clarify certain provisions of House Bill No. 373, Acts of the Forty-fourth Legislature.

I do not wish to open up the general subject of appropriations, but I deem it absolutely imperative to submit the following specific appropriations with the express request that you do not consider any other appropriations than those submitted, since I would feel constrained to veto any other appropriations:

1

A bill by Thornton, Mrs. Moore and Holbrook to correct the appropriation made during the regular session in Chapter 352 making appropriation of \$75,000.00 for the remodeling and re-equipping of the crippled children's hospital building at Galveston, by providing that such \$75,000.00 instead of being used for the repair of the present building be applied on a new building, together with an additional appropriation of \$35,000.00.

The fact of the matter is the present building is not worth repairing, and to spend \$75,000.00 upon it would be a waste whereas by adding \$35,000.00 to same we can secure an outright grant of \$90,000.00 from the Federal Government for the building of a permanent, worth while hospital unit to replace the present building.

2

An appropriation of \$50,000.00 for the State Parks Board for the purchase of materials to be used in State parks.

This item was submitted during the First Called Session, passed the Senate but failed to muster the four-fifths necessary for suspension in the House. It is my judgment that this appropriation is highly important. The Federal Government has already definitely allocated over two million dollars to be expended through the director of the National Youth Administrator for labor in the State parks. The only requirement from the State is that we appropriate not exceeding \$50,000.00 for the purchase

of materials. It will result in permanent improvement of our parks, our highways, and our schools.

It will put thousands of young men and young women to work.

We can't afford to pass up this investment.

3

A bill by McKinney to appropriate not exceeding \$15,000.00 to the State Penitentiary System to cure discrepancies in the salaries provided in the general appropriation during the Regular Session.

Respectfully submitted,
JAMES V. ALLRED,
Governor of Texas.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, (by unanimous consent) were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Venable and Mr. Stovall:

H. B. No. 103, A bill to be entitled "An Act validating the acts of cities, towns and villages in attempting to adopt the provisions of cities and towns under authority of Article 961, Revised Civil Statutes of 1925, and validating acts thereafter taken by such cities, towns and villages, with provision that this Act shall not apply in instances wherein the validity of the adoption of such powers is in litigation at the time this Act becomes effective, repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Good, Mr. Reed of Bowie, Mr. Canon, Mr. Hunt, Mr. Graves, Mr. Beck, Mr. Crossley, Mr. Russell and Mr. Bourne:

H. B. No. 104, A bill to be entitled "An Act to create the Sulphur River Conservation and Reclamation District under the authority of Section 59 of Article 16, of the Constitution of Texas authorizing subordinate districts and for the creation and government thereof; defining the powers and duties of said districts; providing for directors and organization and operation of the districts and the authority and duties of said directors; defining the area of the parent and subordinate districts; providing certain

duties for the State Board of Water Engineers, State Reclamation Engineer and the Governor of the State; etc., and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Gibson and Mr. Latham:

H. B. No. 105, A bill to be entitled "An Act validating all elections, election orders, election proceedings, affidavits and city ordinances annexing adjacent territory or extending and prescribing the corporate limits of any incorporated city incorporated and functioning under the General Laws of Texas under Commission Form of Government, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Stinson:

H. B. No. 106, A bill to be entitled "An Act to amend the law controlling fresh water supply districts as embraced in Chapter 4, Title 128 of the Revised Civil Statutes of Texas, 1925, and contained in Chapter 48, page 107 of the General Laws of Texas, enacted by the Thirty-sixth Legislature at its Second Called Session, as amended, so as to provide for a new Article to said Chapter 4, of said Title 128, to be known as 'Article 7959-a' and providing that where any such fresh water supply districts shall have issued bonds and where there shall not be a sufficient number of qualified voters and resident property owners in said district to constitute its governing body, etc., and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Spears:

H. B. No. 107, A bill to be entitled "An Act to amend Section 7 of House Bill No. 131, Chapter 247, enacted by the Forty-third Legislature at the Regular Session, page 867 of the Session Acts of said term which is also Article 52, Section 161 of the Code of Criminal Procedure 1935, Supplement to Vernon's Revised Statutes, changing the terms of court of the Criminal District Court of Bexar County, Texas."

Referred to the Committee on Judicial Districts.

By Mr. Lindsey:

H. B. No. 108, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas which levies are unenforceable because of failure of the governing bodies of each respective incorporated cities and towns to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory Board of Equalization, or where the city council, city commission or other governing body of such incorporated city or town have acted as a Board of Equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Spears:

H. B. No. 109, A bill to be entitled "An Act empowering cities of two hundred thirty thousand (230,000) or more inhabitants to purchase and own, build, maintain, operate, mortgage and encumber health and recreational establishments, parks, playgrounds, hotels, bathhouses, bathing pools or facilities, and any and all other installations or establishments necessary or desirable as a part of health and recreational resorts, parks or playgrounds, or any of them, and the income therefrom, and to evidence the obligations therefor by bonds, notes or warrants and to secure the payment of funds to purchase or build same or to remodel, renovate, maintain or repair same; etc., and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Hankamer, Mr. Clayton and Mr. Jackson:

H. B. No. 110, A bill to be entitled "An Act authorizing and empowering all cities and towns, including home rule cities, to build and purchase, to mortgage and encumber certain projects to-wit: parks and/or swimming pools, golf courses, golf course clubhouses, ball parks, fair grounds, exposition buildings, airports, and the land upon which the same are situated, and to evidence the obligation therefor by the issuance of bonds,

notes or warrants, etc., and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Latham and Mr. Gibson:

H. B. No. 111, A bill to be entitled "An Act authorizing the selection and the summoning of a general jury panel for jury service in the district and county courts in counties of Texas wherein two (2) or more district courts are situated and maintained; defining district courts within the meaning of the Act; authorizing the judges of the district and county courts in any such county to meet together at stated intervals and determine the number of jurors necessary for jury service for all district and county courts during a period of two (2) months or as many weeks in advance as they decide upon; etc., and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Worley:

H. B. No. 112, A bill to be entitled "An Act providing that wherever a person has died or may die, testate, owning property in Texas, and such person's will has been or may be admitted to probate by the county court, and such probated will names an independent executor, or executors, and/or trustees to execute the terms and provisions of the will, or provides that no other action shall be had in the courts of Texas in reference to the settlement of the estate than the probating and recording of the will and the return of an inventory, appraisal and list of claims of the estate dealt with in the will, or contains language of similar import, and such independent executor, or executors, and/or trustees have died or shall die leaving unexecuted parts or portions of the will of the testator, and an administrator de bonis non, with the will annexed, etc., and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Dunlap of Kleberg, Mr. Celaya, Mr. Lange, Mr. Dickison, Mr. Jefferson, Mr. Hartzog, Mr. Butler of Brazos, Mr. Young, Mr. Pope, Mr. Roberts, Mr. McKee, Mr. Butler of Karnes, Mr. Clayton, Mr. Hill, Mr. Reader, Mr. Spears and Mr. Hofheinz:

H. B. No. 113, A bill to be entitled "An Act making appropriation for the construction and equipment of a coastal and marine biological laboratory on the coast of Texas as a part of the department of biology of the Texas College of Arts and Industries; providing for its maintenance, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Dunlap of Hays:

H. B. No. 114, A bill to be entitled "An Act making an emergency appropriation of money for the Southwest Texas State Teachers College at San Marcos, Texas; providing the purpose thereof, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Caldwell:

H. B. No. 115, A bill to be entitled "An Act to validate the bonds of water improvement districts and of water control and improvement districts where such bonds have been issued by the district and approved by the Attorney General of the State of Texas, notwithstanding the fact that such bonds were not validated by a suit in the district court as required by law; etc., and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

RECESS

On motion of Mr. Quinn, the House at 12:00 o'clock m., took recess to 2:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. McKee, Mr. Butler of Brazos, and Mr. Shofner were granted leaves of absence for this afternoon, on account of important business, on motion of Mr. Knetsch.

BILLS ORDERED NOT PRINTED

(By unanimous consent)

On motion of Mr. Spears, House Bill No. 109, was ordered not printed.

On motion of Mr. Hankamer, House Bill No. 110, was ordered not printed.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read the following message from the Governor:

Executive Office,

Austin, Texas, November 7, 1935.

To the Members of the Forty-fourth Legislature. (In Second Called Session):

I am submitting the following particular subject matters for your consideration:

(1). A bill to authorize an advance of \$200,000.00 to the Brazos River Conservation and Reclamation District, to be repaid to the state out of the first proceeds of the bonds sold by such district.

This bill has been signed by 26 members of the Senate and over one hundred members of the House.

(2). House Bill by Cowley dealing with a common school district in Hill County.

Respectfully submitted,

JAMES V. ALLRED,
Governor of Texas.

MESSAGE FROM THE SENATE

Austin, Texas, November 7, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has adopted the following:

S. C. R. No. 12, Relative to Senate and House bills as authorized by the message from the Governor today—(November 7, 1935)—pertaining to the Brazos River Conservation and Reclamation District.

Respectfully,

BOB BARKER,
Secretary of the Senate.

TO SUSPEND CERTAIN JOINT RULES

The Speaker laid before the House, for consideration at this time the following resolution:

S. C. R. No. 12, To suspend certain Joint Rules to consider certain bills.

Whereas, The Governor has this day submitted the question of making available to the Brazos River Conservation and Reclamation District Two Hundred Thousand (\$200,000.00) Dollars of the moneys heretofore granted to said district, same to be repaid to the State out of the first moneys coming into the treasury of the district; and

Whereas, It is necessary that such moneys be made immediately available to enable the district to proceed with the necessary preliminary work, and to secure the maximum Federal aid; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That both the House and Senate suspend Joint Rules Nos. 22 and 23, and said Rules and all other necessary rules are hereby suspended, so as to allow both House and Senate to consider on this Thursday the measure aforementioned, and the bills in each House introduced pursuant to such submission.

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, November 7, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has passed the following:

S. B. No. 11, A bill to be entitled "An Act defining the term 'open saloon'; regulating the manufacture, sale, importation, transportation and possession of alcoholic liquors; prescribing rules and regulations and the right of local option; providing for a system of permits; levying taxes; prescribing penalties for violations; repealing conflicting laws and parts of laws; reenacting and amending Chapter 116, Acts of the Regular Session of the Forty-third Legislature; and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read first time, and referred

to the appropriate committees as follows:

By Mr. McKinney:

H. B. No. 116, A bill to be entitled "An Act making certain emergency and supplemental appropriations out of the General Fund of the State of Texas for the Texas Prison System for the fiscal years ending August 31, 1936, and August 31, 1937, respectively, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Dunlap of Hays:

H. B. No. 117, A bill to be entitled "An Act making an appropriation of money to the Texas State Park Board for improvement and construction work in the State parks of Texas, providing the manner of distribution, providing the proper supervision, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mrs. Moore and Mr. Thornton:

H. B. No. 118, A bill to be entitled "An Act reappropriating an appropriation of Seventy-five Thousand (\$75,000.00) Dollars made by Acts of the Regular Session, Forty-fourth Legislature, Chapter 352, page 868, for the purpose of remodeling and re-equipping hospital building at the State Hospital for Crippled and Deformed Children at Galveston, Texas; providing that said appropriation shall be used for the purpose of erecting a new hospital building; appropriating an additional Thirty-five Thousand (\$35,000.00) Dollars for such purpose; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Clayton:

H. B. No. 119, A bill to be entitled "An Act regulating the manufacture, sale, distribution, disposition, storage and transportation of vinous or malt beverages, prescribing definitions, and providing for the means, manner and method thereof; providing for the licensing and regulating of certain persons manufacturing, selling, transporting, disposing of, storing and distributing same; etc., and declaring an emergency."

Referred to the Committee on Liquor Traffic.

By Mr. Lemens, Mr. Smith, Mr. Mc-Connell, Mr. Jones of Falls, Mr. Rutta, Mr. Cagle, Mr. Shofner, Mr. Luker, Mr. James, Mr. Greathouse, Mr. Butler of Brazos, Mr. Head, Mr. Hill, Mr. Hodges, Mr. Reed of Dallas, Mr. Farmer, Mr. Dickson, Mr. Moffett, Mr. Colson, Mr. Ford, Mr. Glass, Mr. McKinney, Mr. Dunlap of Hays, Mr. Steward, Mr. Hunter, Mr. Morse, Mr. Harris of Dallas, Mr. Fuchs, Mr. Young, Mr. Davison of Fisher, Mr. Newton, Mr. Fain, Mr. Canon, Mr. Lanning, Mr. Stinson, Mr. Hanna, Mr. Bradford, Mr. Hardin, Mr. Bradbury, Mr. Westfall, Mr. Howard, Mr. Spears, Mr. Crossley, Mr. Pope, Mr. Burton, Mr. King, Mr. McFarland, Mr. Leonard, Mr. Dwyer, Mr. Tarwater, Mr. Bourne, Mr. Wells, Mr. Petsch, Mr. Harris of Archer, Mr. Graves, Mr. Alexander, Mr. Tillery, Mr. Adkins, Mr. Roach of Hunt, Mr. Gibson, Mr. Olsen, Mr. Sessions, Mr. Fox, Mr. Roach of Angelina, Mr. Jones of Shelby, Mr. Patterson, Mr. Riddle, Mr. Cowley, Mr. Frazer, Mr. Rogers, Mr. Lindsey, Mr. Calvert, Mr. Tennyson, Mr. Padgett, Mr. Huddleston, Mr. Hoskins, Mr. Ash, Mr. Jefferson, Mr. Jackson, Mr. Clayton, Mr. Butler of Karnes, Mr. Payne, Mr. Roane, Mr. Settle, Mr. Lucas, Mr. Hartzog, Mr. McKee, Mr. Atchison, Mr. Cooper, Mr. Broyles, Mr. Quinn, Mr. Daniels, Mr. Celaya, Mr. Collins, Mr. Stanfield, Mr. Waggoner, Mr. Craddock and Mr. Hankamer:

H. B. No. 120, A bill to be entitled "An Act making an appropriation out of the General Revenue Funds of the State of Texas for the Brazos River Conservation and Reclamation District, to aid said District to start immediate work on its program of construction; said funds to be returned to the State of Texas, and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Pope:

H. B. No. 121, A bill to be entitled "An Act to amend Article 543 of the Penal Code of this State by omitting all of said Article after the word "hedge contracts," and to add Article 543a defining a hedge contract; and to amend Article 545 of said Code as to what shall constitute a prima facie case in prosecutions for the violation of law as to dealing in future; and

to add Article 545a defining certain terms used herein; providing certain taxes, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Cowley:

H. B. No. 122, A bill to be entitled "An Act amending House Bill No. 327, Chapter 350, of the General Laws of the State of Texas as passed by the Forty-fourth Legislature, 1935 Regular Session, by adding thereto a Section to be known as Section 6a, providing that a common school district in a county whose population, as shown by the last preceding Federal Census, is between forty-three thousand and one (43,001) and forty-three thousand and one hundred (43,100) inhabitants, and which district has a current levy of fifty (50) cents on the one hundred dollars property valuation, and has voted a tax levy of seventy-five (75) cents on the one hundred dollar valuation, may receive aid for a one-teacher school for the year 1935-36; repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Atchison:

H. B. No. 123, A bill to be entitled "An Act providing that the commissioners court shall fix the salary of the county judge in counties with a population of not less than 24,100 and not more than 24,150, according to the last preceding Federal Census; providing that the provisions of Senate Bill No. 5 of the Second Called Session of the Forty-fourth Legislature shall not in any way interfere with the provisions of this Act until this Act is expressly repealed; repealing all laws and parts of laws, general or special, in conflict herewith, and declaring an emergency."

Referred to the Committee on Counties.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

S. B. No. 11, to the Committee on Liquor Traffic.

**ADOPTION OF CONFERENCE
COMMITTEE REPORT ON
HOUSE BILL NO. 26**

Mr. Calvert submitted for consideration at this time, the Conference Committee Report on House Bill No. 26, which report was printed in the Journal on yesterday.

Mr. Calvert moved that the report be adopted.

Mr. Moffett submitted the following motion:

"We move that the Conference Report on House Bill No. 26 be rejected and that said bill be again referred to a conference committee, with instructions that said committee report a bill that would provide and authorize payments of old age assistance to those eligible to receive the same, beginning not later than February 1, 1936."

MOFFETT,
REED of Bowie,
FAIN,
DAVISSON
of Eastland.

Mr. Aikin submitted the following amendment to the motion by Mr. Moffett:

Mr. Speaker:

"We move that the Conference Committee Report on House Bill No. 26 be rejected and the Committee be instructed to re-write Section 9 and leave out any such policy as set up in the last five lines of subsection (a); and that the Committee be further instructed to re-write subsection (b) of Section 11 so that payments of old age pensions must start not later than January 1st, 1936; and that the Committee be further instructed to put an appropriation in the bill of \$5,000,000 out of the General Revenue Fund in order that payments may begin not later than January 1st, 1936, and that the Committee be further instructed to report back not later than Monday, November 11."

AIKIN,
KNETSCH,
GLASS,
BROYLES,
CANON,
JAMES,
DAVISSON
of Eastland.

Mr. Morrison moved to table the above motion by Mr. Moffett, that the report be rejected.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76

Adamson	Latham
Adkins	Lindsey
Alexander	Lotief
Alsup	Mauritz
Beck	McCalla
Bourne	McConnell
Bradford	McFarland
Burton	McKinney
Butler of Karnes	Moore
Cagle	Morris
Calvert	Morrison
Cooper	Morse
Cowley	Nicholson
Crossley	Olsen
Daniel	Palmer
Davison of Fisher	Patterson
Fisher	Payne
Ford	Petsch
Fox	Quinn
Frazer	Riddle
Gibson	Roane
Graves	Roark
Gray	Roberts
Harris of Archer	Rogers
Hartzog	Rutta
Head	Sessions
Herzik	Stanfield
Hill	Stinson
Hodges	Stovall
Holland	Tarwater
Howard	Tennyson
Hunt	Thornton
Jackson	Venable
Jones of Atascosa	Waggoner
Jones of Falls	Walker
Jones of Wise	Wells
Keefe	Westfall
Lanning	Worley

Nays—57

Aikin	Dwyer
Atchison	England
Bergman	Fain
Bradbury	Farmer
Broyles	Glass
Caldwell	Good
Canon	Greathouse
Celaya	Hankamer
Clayton	Hanna
Collins	Hardin
Colson	Harris of Dallas
Craddock	Hofheinz
Davison	Hoskins
of Eastland	Huddleston
Dickison	Hunter
Dunagan	James
Dunlap of Hays	Jefferson

Jones of Shelby	Reed of Dallas
King	Roach of Angelina
Knetsch	Roach of Hunt
Lange	Russell
Leath	Scarborough
Lemens	Smith
Leonard	Steward
Lucas	Tillery
Moffett	Wood of Harrison
Newton	Wood of Montague
Pope	Young
Reed of Bowie	Youngblood

Present—Not Voting

Fuchs

Absent

Ash	Luker
Colquitt	Padgett
Dunlap of Kleberg	Reader
Duvall	Settle
Hyder	Spears

Absent—Excused

Butler of Brazos	McKee
Davis	Shofner
Fitzwater	

PAIRED

Mr. Fuchs (present), who would vote "yea," with Mr. Reader (absent), who would vote "nay."

Question then recurring on the adoption of the Conference Committee Report, yeas and nays were demanded.

The Report was adopted by the following vote:

Yeas—93

Adamson	Fox
Alexander	Frazer
Alsup	Fuchs
Beck	Gibson
Bourne	Glass
Bradbury	Graves
Bradford	Gray
Broyles	Greathouse
Burton	Harris of Archer
Butler of Karnes	Hartzog
Calvert	Head
Celaya	Herzik
Collins	Hill
Cooper	Hodges
Cowley	Hofheinz
Crossley	Holland
Daniel	Howard
Davison of Fisher	Hunt
Dunlap of Hays	Jackson
Dunlap of Kleberg	James
England	Jones of Atascosa
Fain	Jones of Falls
Fisher	Jones of Wise
Ford	Keefe

Lanning	Riddle
Latham	Roach of Angelina
Lindsey	Roark
Lotief	Roberts
Lucas	Rogers
Luker	Rutta
Mauritz	Scarborough
McCalla	Sessions
McConnell	Stanfield
McFarland	Stinson
McKinney	Stovall
Moore	Tarwater
Morris	Tennyson
Morrison	Thornton
Morse	Tillery
Newton	Venable
Nicholson	Waggoner
Padgett	Walker
Palmer	Wells
Patterson	Westfall
Payne	Wood of Harrison
Petsch	Worley
Quinn	

Nays—44

Adkins	Hunter
Aikin	Jefferson
Atchison	Jones of Shelby
Bergman	King
Cagle	Knetsch
Caldwell	Lange
Canon	Leath
Clayton	Lemens
Colson	Leonard
Craddock	Moffett
Davisson	Olsen
of Eastland	Pope
Dickison	Reed of Bowie
Dunagan	Reed of Dallas
Dwyer	Roach of Hunt
Farmer	Roane
Good	Russell
Hankamer	Smith
Hanna	Steward
Hardin	Wood of Montague
Harris of Dallas	Young
Hoskins	Youngblood
Huddleston	

Absent

Ash	Reader
Colquitt	Settle
Duvall	Spears
Hyder	

Absent—Excused

Butler of Brazos	McKee
Davis	Shofner
Fitzwater	

REASONS FOR VOTE

We are voting against the adoption of the Conference Committee Report on House Bill No. 26, the Old Age

Assistance Bill, for the following reasons:

"1. We feel that the report made by the Committee contains too many restrictions and does not conform to our opinion that old age assistance should be given on a pro rata or universal plan to all persons not prohibited by the Constitution and the Federal Act.

"2. We are opposed to the last part of Section 9 (a) wherein the assistance is to be granted in such amounts as will provide a reasonable subsistence 'in keeping with the accustomed standard of living of the applicant.' Under this provision, for example, a needy tenant farmer who has always worked hard, but who has been able to provide only \$4.00 or \$6.00 per month to spend, would be restricted to such amount from the Pension Fund, whereas a spendthrift who has always spent everything he could get hold of would, under the provision of the bill, draw the maximum amount of assistance. It is obvious that such a provision would militate against the farmers of this State in favor of his more fortunately situated urban brother.

"3. We are opposed to postponing participation in pensions until July 1st, 1936. The Constitutional Amendment recently adopted is a mandate to this Legislature to provide for pensions at an early date.

"4. The motion for adoption of this report is made at a time when we still have an opportunity to rewrite the pension bill more in conformity with the needs and demands of the people and return such bill for adoption before the end of this session.

"We are both in hearty accord with the constitutional provision for old age pensions and wish to give full and adequate legislative interpretation of such Constitutional Amendment."

LEMENS,
HUNTER.

I voted not to adopt the Conference Committee Report, because the Committee refused to strike out the property limitation and the income restriction which were so objectionable to me.

DAVISSON of Eastland.

Mr. Calvert moved to reconsider the vote by which the Conference Committee Report was adopted.

The motion prevailed.

Mr. Calvert moved the previous question on the adoption of the Conference Committee Report on House Bill No. 26, and the main question was ordered.

The Conference Committee Report on House Bill No. 26 was then adopted by the following vote:

Yeas—114

Adamson	Howard
Adkins	Hunt
Aikin	Hunter
Alexander	Jackson
Alsup	James
Atchison	Jefferson
Beck	Jones of Atascosa
Bergman	Jones of Falls
Bourne	Jones of Wise
Bradbury	Keefe
Bradford	Knetsch
Broyles	Lanning
Burton	Latham
Butler of Karnes	Leath
Cagle	Lemens
Calvert	Lindsey
Canon	Lotief
Celaya	Lucas
Collins	Luker
Cooper	Mauritz
Cowley	McCalla
Crossley	McConnell
Daniel	McFarland
Davison of Fisher	McKinney
Davisson	Moffett
of Eastland	Moore
Dunagan	Morris
Dunlap of Hays	Morrison
Dunlap of Kleberg	Morse
England	Newton
Fain	Nicholson
Fisher	Padgett
Ford	Palmer
Fox	Patterson
Frazer	Payne
Fuchs	Petsch
Gibson	Quinn
Glass	Reed of Bowie
Good	Reed of Dallas
Graves	Riddle
Gray	Roach of Angelina
Greathouse	Roach of Hunt
Hanna	Roark
Harris of Archer	Roberts
Harris of Dallas	Rogers
Head	Rutta
Herzik	Sessions
Hill	Smith
Hodges	Stanfield
Hofheinz	Stinson
Holland	Stovall
Hoskins	Tarwater

Tennyson	Wells
Thornton	Westfall
Tillery	Wood of Harrison
Venable	Worley
Waggoner	Young
Walker	

Nays—22

Caldwell	King
Clayton	Lange
Colson	Leonard
Craddock	Olsen
Dickison	Pope
Dwyer	Roane
Farmer	Russell
Hankamer	Scarborough
Hardin	Steward
Huddleston	Wood of Montague
Jones of Shelby	Youngblood

Absent

Ash	Hyder
Colquitt	Reader
Duvall	Settle
Hartzog	Spears

Absent—Excused

Butler of Brazos	McKee
Davis	Shofner
Fitzwater	

REASONS FOR VOTE ON CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 26

I voted against the motion to table the substitute motion by Mr. Aikin, which was to reject the Conference Committee Report, and a new committee be appointed and certain provision removed from the bill.

In my opinion, when the people adopted the Constitutional Amendment they believed the pension would be granted to all persons over the age of 65. The restrictions in this bill are too high, and will only grant a pension to those people who have always gone on the theory that the "Government owes them a living." Further the negroes and Mexicans will likewise be in the majority as recipients.

Further, the bill provides that upon petition, any person over 65 years of age can ask the State to assume the payments of premiums on insurance policies. Upon the death of this petitioner the insurance will be paid over to the State. There is no statute that now provides that the State can do this.

Further, administrative cost in this bill is too high. It grants the administration body 5 per cent of the

total amount paid out for pensions to be used as administrative cost, which, I think, is too high and too much. This much administrative cost will eventually turn out the same way the administration of the relief situation did.

The House expressed its will that they would not reject the Conference Committee Report. Therefore, I voted to concur on the adoption of the Conference Committee Report because I believed that if same were sent back to the Committee that we would likely be unable to get a pension bill at this session of the Legislature, thus necessitating the call of another session, of which I am opposed.

Although this is not what I wanted as a pension bill I believe same can be amended at another session of the Legislature so as to remove some of the objectionable features of the bill.

WOOD of Harrison.

I voted for the Conference Committee Report on House Bill 26, which is the Old Age Assistance Bill, not because I was in favor of the provisions and principles incorporated in the bill, but because I had no other choice inasmuch as it was to adopt this bill and set up an old age pension system at present, or vote against the Conference Committee Report. This Conference Committee Report restricts the payment of old age assistance to a comparatively few people who have attained the age of sixty-five years or more. I am of the opinion the old age assistance should be paid to all citizens who have attained the age of sixty-five and are not prohibited from receiving the pension under the provisions of the Constitutional Amendment which was adopted by the people of the State of Texas in August of this year.

I think that the citizens of this State who for half a century or longer have contributed a great deal to their local, state and national government in the form of taxes and other assistance should be taken into consideration in the payment of the old age assistance and should receive the old age assistance from the State and Federal Government the same as those who have contributed nothing to our Government and, in fact, at times have tended to retard its progress.

DUNLAP of Hays.

I voted "nay" on the adoption of the Conference Committee Report on House Bill No. 26, because it set the date of beginning the payment of those eligible for pensions as late as July 1, 1936, and I favored beginning payment not later than February 1, 1936. I favor appointing a new Conference Committee who will adopt a more liberal payment of old age pensions. When the motion to reconsider prevailed I voted "aye" in order to put the bill into effect as early as possible.

REED of Bowie.

I voted "yes" on the Conference Committee Report on House Bill No. 26, "Old Age Assistance," for the following reason: I voted consistently against the bill from the beginning because it wasn't what the majority of the people thought they voted for. The bill is very much more liberal than when it was considered in the House, it's not what I expected, however, realizing that we cannot get a more liberal bill since it is out of Conference Committee and on final passage. We are at the end of the rope, therefore, I vote as I did on this Conference Committee Report on the above bill. If we didn't pass the bill now we wouldn't be able to pass a pension bill this session. I do not want to be called for a Third Called Session.

HERZIK.

I voted against the adoption of Conference Report on the Pension Bill due to the fact that it is primarily a relief bill and excludes that great number of good honest Texas citizens.

RUSSELL.

Due to the highly restrictive provisions of this Act which I believe exclude more people entitled to an old age pension than they include, I am voting for same only because it appears as if it is this or nothing.

CROSSLEY.

Although I voted for House Bill No. 26, being the Old Age Assistance, I want to state that I am not fully satisfied with it, as some provisions of it seem to be unfair to the old people. But it is better to accept this instead of taking a chance in not having any bill at all.

LOTIEF.

I voted against concurring in the Conference Report on the Old Age Pension Bill for many reasons. First,

it is not what the people voted for. It does not meet the requirements of the Constitutional Amendment. Second, it provides in Section 8 and Section 9 to set up the relief system of administration on the administering of the Old Age Pension in Texas.

All citizens of Texas know what the relief system has been to the people of Texas, full of discrimination, full of oppression, and the waste of public money.

I am opposed to the Federal Government dictating in the affairs of Texas. I will not for a "sop" bargain away the rights of the people of Texas. I am for complying with the Constitutional Amendment and a real pensioning of the old people of Texas, but this system will practically make every old man and woman a pauper who seeks to get a pension under this set-up.

I could give many other reasons why I voted against concurring in the Conference Report; these are enough for the present time.

FARMER.

During the First Called Session of the Forty-fourth Legislature, appropriate legislation providing for old age pensions failed to pass. Only six more days remain in the present session. Although the pension bill is not just what we would like in every respect, nevertheless, no member is delegated the privilege of ever dictating the provisions of a bill to suit his own desires. I therefore voted for the Conference Committee Report for it appears the Legislature can much more profitably spend its time during the few remaining days of this session, securing money to pay the pension rather than debating over the bill, for such a course could result in a deadlock in the legislative halls not dissimilar to that of the first session.

McCONNELL.

I voted against the Conference Committee Report on House Bill No. 26, because it tends to pauperize every person before they can become eligible under the provisions.

CRADDOCK.

I voted not to adopt the Conference Committee Report on House Bill No. 26 because the measure fails to pay an "old age pension" in compliance with the mandate of the people; sets up an unnecessary and expensive political

machine; and should be returned to the Committee for correction.

CALDWELL.

I voted against the adoption of the Conference Report on House Bill No. 26, which is the Old Age Pension Bill, for the reason that I believe that the wording of the Report is such that it will thwart the purposes advanced for an old age pension fund. In particular I object to the following:

"Under the strict wording of Section 2 only those persons who have an income are entitled to receive a pension for the reason that said section contains this language: 'Section 2. Aid may be granted under this Act to any person who: . . . (f) Has an income, if a single person, from money and all sources not exceeding Three Hundred Sixty (\$360.00) Dollars per year, or if married, a combined income from money and all sources not exceeding Seven Hundred Twenty (\$720.00) Dollars per year.'"

For the reasons mentioned and because of other reasons too numerous to set out in full, I consider it my obligation to vote against the adoption of this Report.

CLAYTON.

I voted against the adoption of the Conference Committee Report on House Bill No. 26 because the same contains numerous objectionable features, some of which are, first, unreasonable provisions in Section 2 with reference to the qualifications necessary for the eligibility for applicants seeking old age assistance; second, under the provisions of Section 9 (a) there is permitted an authority to an arbitrary board, from which there can be no appeal, to set up a system of rules and regulations which will make possible unreasonable discrimination against classes of pensioners and permitting said board to determine the standards of living which must be adhered to by classes of pensioners; third, that under the provisions of Section 11 (b) of the Report, there is no authority for the payment of any pensions to the needy until July 1st, 1936; and, fourth, that under the provisions of Section 11 (d) the State is permitted to go into the insurance business by paying premiums on insurance policies issued on the life of pensioners in consideration of the benefits of the policies accruing to the State, and at the same time pay pensions to such citizens in consideration

of the State receiving the benefits of said policies of insurance which will eventually result in the opening of a broad field for the commission of fraud upon the State for the purpose of making possible certain individuals to receive pensions; and, further, there is no authority in law for the State to assume an insurable interest on citizens in the manner proposed by this section of the Conference Report.

HANKAMER.

I vote "no" on the Pension Bill by the Legislature. As only negroes and Mexicans will get them. I hold that all men and women over 65 years should by all means receive the pension. The people voted on last August 24th in confidence that they who are of age should have the pension.

OLSEN.

We are voting for the motion to reconsider the adoption of the Conference Committee Report on House Bill No. 26, and for the bill on final passage, after reconsideration, for the reason that, although we are opposed to the Report, for reasons set out above, now that it has been adopted, we are voting in order that 100 votes may be obtained on final passage to put the bill into immediate effect. This will give time for the official set-up to be made before the effective date of the law.

LEMENS,
HUNTER.

I voted to concur in the Conference Report on the pension bill for the following reasons: I thought this bill would be better than no bill at all and could be amended at a later time to make it better. Before voting for it I voted to send it back to the Conference Committee in order to make it more liberal and to get it started quicker. I further objected to the Report in that it might place the system of administration the same as used in the relief set up. By sending the bill back to conference I thought a better bill could be written, but when that move failed I then voted for the bill as a little is better than nothing.

BRADBURY.

My reason for voting against the adoption of the Conference Report of House Bill No. 26 is contained in the last paragraph of Section 9A, which provides that the assistance granted shall be granted in such

amounts as will provide a reasonable subsistence in keeping with the accustomed standard of living of the applicant. It is my opinion that the average American citizen is or ought to be on a living standard of not less than thirty dollars per month.

My reason for changing my vote and voting "aye" to reconsider and then voting "aye" for final passage of this bill is that the majority of the House had expressed its opinion as favoring the bill as written, and in order to secure a hundred votes, thus causing it to go into immediate effect upon adjournment of this Legislature and the signature of the Governor.

JEFFERSON.

Although the Conference Committee Report on House Bill No. 26, old age assistance, is not my idea of a good pension bill, I voted "yea" because it was our only chance to get an old age pension this session, and I do not want to be called back for a Third Called Session.

RAGLIN JONES.

My reason for voting "no" on the Conference Report on House Bill No. 26 is: I opposed the elaborate set-up of collecting the information in regard to the applicants for pensions, also the salary paid the members of the board and secretary.

FRANK A. WOOD.

ADJOURNMENT

Mr. Jones of Wise moved that the House recess to 8:00 o'clock p. m., today.

Mr. Dunagan moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Rogers moved that the House adjourn until 9:30 o'clock a. m., Friday, November 8.

Question first recurring on the motion by Mr. Rogers, it prevailed, and the House, accordingly, at 5:40 o'clock p. m., adjourned until 9:30 o'clock a. m., November 8.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions as follows:

Conservation and Reclamation: House Bill No. 104.

Judiciary: House Bills Nos. 108, 111 and 112.

Municipal and Private Corporations: House Bills Nos. 103, 105, 109 and 110.

Public Lands and Buildings: House Bill No. 101, and resolution, by Mr. Wood of Harrison, in regard to permanent State parks.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, November 7, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 67, "An Act authorizing the condemnation of certain private land or lands for the restoration, preservation or marking of historic spots in Texas by the Commission of Control for the Texas Centennial Celebrations; prescribing the procedure therefor, providing that such proceedings shall be brought in the name of the State of Texas by the Attorney General of Texas, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,
Austin, Texas, November 6, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 69, "An Act validating and approving all acts and proceedings of the county commissioners courts and the county judge in the matter of the creation and incorporation of Wind Erosion Conservation Districts in their said counties, which were authorized to be created under the provisions of Chapter 337, Acts Regular Session, Forty-fourth Legislature, and validating and approving all elections held under the provisions of said law where the returns of said elections show that a majority of the legally qualified property tax-paying voters of said counties voting at said elections favored

the creation of such districts, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,
Austin, Texas, November 6, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 93, "An Act creating a special road law for Childress County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of September 14, 1935, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the commissioners court of said county and officers thereof in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding and refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,
Austin, Texas, November 6, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 98, "An Act creating a special road law for Robertson County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of August 12, 1935, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the commissioners court of said county, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges

and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,
Austin, Texas, November 6, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 7, Granting A. F. Gaston permission to sue the State.

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,
Austin, Texas, November 6, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 8, Granting S. A. Castlebury permission to sue the State.

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,
Austin, Texas, November 6, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. C. R. No. 14, Suspending Joint Rules Nos. 22 and 23 of the House and Senate in order to permit the House to finally dispose of House Bill No. 77.

Has carefully compared same and finds it correctly enrolled.

ATCHISON, Chairman.

TENTH DAY

(Friday, November 8, 1935)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker	Adkins
Adamson	Aikin